

REMARKS

Claims 1, 3 - 10, and 12 - 21 are pending with claim 11 canceled and claim 21 added by this paper. Applicants acknowledge the allowability of claims 11, and 18 - 19 at page 4 of the Action. Claim 11 is now canceled and its substantive features are presented in new claim 21. In addition, claim 18 is rewritten into independent form. Consequently, Applicants respectfully submit that claims 21 and 18 - 19 should be indicated as allowed in the next paper from the Office.

Claim Rejections Under 35 U.S.C §103

Claims 1, 3 - 10, 12 - 17 and 20 stand rejected as allegedly being unpatentable over U.S. Patent No. 6,331,574 (Lapidus) in view of U.S. Patent No. 3,928,443 (Allain). Applicants respectfully traverse these rejections.

Applicants respectfully submit that there is insufficient motivation to combine the disparate teachings of these references. Lapidus pertains to a process for preparing catalysts, preferably Group VIIIB or VIII based catalysts, for conducting carbon monoxide hydrogenation reactions, especially Fischer-Tropsch reactions (e.g., column 1, lines 10 - 14) in order to produce hydrocarbon, especially C₅₊ hydrocarbon. In marked contrast, Allain pertains to copper catalysts, such as a Raney copper catalyst, for hydrolyzing acrylonitrile to acrylamide (e.g., column 1, lines 20 - 24). Applicants respectfully submit that it would not be rationale for one of skill in the art to combine the teachings of a catalyst for hydrolyzing acrylonitrile to acrylamide with a catalyst for conducting carbon monoxide hydrogenation reactions.

This is clearly the case upon further review of these catalysts. The catalyst of Allain is a copper/aluminum catalyst. In marked contrast, the catalysts of Lapidus contain a metal or metals, suitably a group IIIB, IVB, VB, VIB, VIIIB or VIII metal (e.g., column 4, lines 10 - 18). There is no desire disclosed in Lapidus to include copper (Group IB metal) or aluminum (Group IIIa metal) in its catalyst.

What is more, the copper/aluminum catalysts of Allain are contacted with a solution having a weakly basic character comprising an ammonium hydroxide, certain amines, certain quaternary ammonium hydroxides, alkali metal carbonate, or water (e.g., column 6, lines 31 - 35). These

compounds used to make the contacting solution are disclosed at column 9 - 10, and include a vast array of compounds. The compounds disclosed at columns 9 - 10 do include diethanolamine and N-N' dimethyl ethylene diamine. However, Allain further discloses that an optional additive may be included in the second contacting solution. These additives are disclosed in column 11, and include EDTA. The action alleges that the compounds disclosed at column 11 are equivalent to the compounds disclosed at columns 9 - 10. However, Allain teaches that the compounds at column 11 are merely an optional additive, and are not equivalent to the compounds at columns 9 - 10.

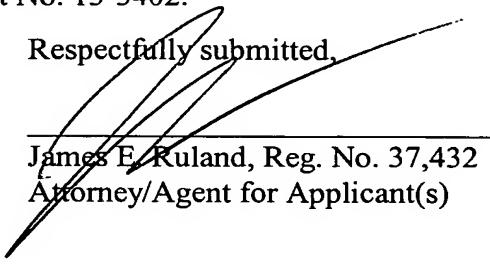
Furthermore, Lapidus requires that its catalysts be activated by contact with a chelating compound (e.g., column 5, lines 4 - 6). There is no teaching or suggestion in Allain that the compounds disclosed at columns 9 - 10, particularly, diethanolamine or N-N' dimethyl ethylene diamine, would act as a chelating agent, and be suitable in the process of Lapidus. Consequently, Applicants respectfully submit that there is clearly insufficient motivation to combine these references. The stubborn fact remains that the references are pertaining to completely different catalysts and completely different chemical reactions for which the catalysts are employed.

Aside from the fact that the teachings of the references are not properly combinable, much less the lack of objective evidence to do so, it is noted that the silane compounds of claim 5 do not appear to be disclosed in either reference.

In view of the above remarks, favorable reconsideration is courteously requested. If there are any remaining issues which can be expedited by a telephone conference, the Examiner is courteously invited to telephone Counsel at the number indicated below.

The Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


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